

## Message Text

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USCINCEUR VAIHINGEN GERMANY

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SUBJECT: NEW DRAFT CONSTITUTION

REF: ADDIS 9320

THERE FOLLOWS DIGEST OF INFORMATION CURRENTLY AVAILABLE ON SUBJECT DRAFT CONSTITUTION. DRAFT CONSTITUTION CURRENTLY CONSISTS OF 154 ARTICLES IN ELEVEN CHAPTERS. CHAPTER 1 HAS 20 ARTICLES DEALING WITH STATE AND CROWN. IT VESTS STATE SOVEREIGNTY IN THE PEOPLE, ESTABLISHES A CONSTITUTIONAL MONARCHY, AND MAKES CROWN SYMBOL OF UNITY AND TRADITION ABOVE POLITICS. CHAPTER 1 PROVIDES FOR LEGISLATIVE, EXECUTIVE AND JUDICIARY BRANCHES INDEPENDENT OF EACH OTHER AND MAKES OF BICAMERAL NATIONAL ASSEMBLY INSTRUMENT THROUGH WHICH PEOPLE EXERCISE THEIR SOVEREIGNTY. ALTHOUGH ETHIOPIA BECOMES A SECULAR STATE AND RELIGION "A PRIVATE MATTER", THE HERETOFORE ESTABLISHED CHURCH REMAINS FREE TO PURSUE ITS ACTIVITIES. THE EMPEROR MUST BE A MEMBER OF THE ETHIOPIAN ORTHODOX CHURCH AND CONTINUES AS ITS SECULAR HEAD. ALTHOUGH THE LINE OF SUCCESSION REMAINS AS ESTABLISHED BY THE EMPEROR AT PRESENT (VIZ., THROUGH ZARA YACOB),

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IT SHALL, THEREAFTER, BECOME LINEAL, FALLING TO THE ELDEST LEGITI-

MATE CLAIMANT WITHOUT DISCRIMINATION AS TO GENDER. HENCEFORTH, NO ONE WILL BE ABOVE THE LAW, AND THE DRAFT HOLDS ALL PUBLIC OFFICIALS RESPONSIBLE FOR THEIR ACTIONS.

CHAPTER 2 DEALS WITH PEOPLE'S RIGHTS AND DUTIES. RIGHTS INCLUDE FORMATION OF ASSOCIATIONS AND POLITICAL PARTIES. RIGHTS ARE GUARANTEED IN LAW, AS IS THE FREE ENJOYMENT OF CIVIL LIBERTIES WITHOUT DISCRIMINATION ON RELIGIOUS, TRIBAL, ETHNIC OR LINGUISTIC GROUNDS. THE DRAFT CONSTITUTION GUARANTEES ACCESS TO EDUCATION AND HEALTH FACILITIES. IT OFFERS ACCUSED ADEQUATE OPPORTUNITY PROVE HIS INNOCENCE.

CHAPTER 3 COVERS LEGISLATIVE BRANCH. IT ESTABLISHES A BICAMERAL NATIONAL ASSEMBLY, WHICH ELECTS AND DISMISSES THE PRIME MINISTER. LOWER HOUSE (DESIGNATION UNOFFICIALLY TRANSLATED AS PEOPLE'S ASSEMBLY) TO BE ELECTED DIRECTLY. UPPER HOUSE (DESIGNATION UNOFFICIALLY TRANSLATED AS PEOPLE'S COUNCIL) TO CONSIST OF 90 MEMBERS, 75 OF WHOM WOULD BE ELECTED BY REGIONAL ASSEMBLIES AND MUNICIPAL COUNCILS, WHILE 15 WOULD BE APPOINTED BY COUNCIL OF MINISTERS FOR MERITORIOUS SERVICES RENDERED. VOTING AGE TO BE REDUCED TO 18 YEARS. NATIONAL ASSEMBLY, TO SIT ANNUALLY FROM OCTOBER TO JULY, IS TO ENJOY FULL LEGISLATIVE POWER. COUNCIL OF MINISTERS MAY PROPOSE RECONSIDERATION OF GIVEN LEGISLATION, BUT NATIONAL ASSEMBLY WOULD BE EMPOWERED ENACT LEGISLATION INTO LAW BY TWO-THIRDS VOTE OVER CABINET'S EXPLICIT OPPOSITION OR REFUSAL TO TAKE A POSITION THEREON (VIZ., NO POCKET VETO).

CHAPTER 4 DEALS WITH EXECUTIVE. PRIME MINISTER TO BE ELECTED BY NATIONAL ASSEMBLY FOR FOUR-YEAR TERM. HE SELECTS HIS CABINET, WHICH WILL BE RESPONSIBLE TO NATIONAL ASSEMBLY. HE ORGANIZES THE GOVERNMENT. GROSSO MODO CURRENT IMPERIAL PREROGATIVES ARE TRANSFERRED TO PRIME MINISTER AND HIS CABINET. PUBLIC OFFICIALS MUST REGISTER THEIR PERSONAL PROPERTY AND MAY NOT ACCEPT CONCURRENT EMPLOYMENT FOR PRIVATE GAIN. THEY MAY NOT WITHHOLD INFORMATION OF DEVELOPMENTS ADVERSELY AFFECTING THE NATION, SUCH AS DROUGHT DISASTERS, FROM THE PEOPLE.

CHAPTER 5: JUDICIARY, JUDICIARY IS HEADED BY A SUPREME COURT, PRESIDED OVER BY AN AFENEGUS. LATTER IS ELECTED BY NATIONAL ASSEMBLY. LOWER COURTS COME UNDER "SCRUTINY" OF GOVERNORATES. JUDGES TO BE CHOSEN BY A JUDICIARY COUNCIL OF REPUTABLE JUDGES INDEPENDENT OF OTHER GOVERNMENT BRANCHES. AFENEGUS EMPOWERED ISSUE INTERNAL REGULATIONS GOVERNING ADMINISTRATION OF JUSTICE. JUDICIAL INSTANCES TO BE REDUCED TO PERMIT MORE RAPID ADJUDICATION OF LIMITED OFFICIAL USE

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CASES.

CHAPTER 6: BUDGET AND FINANCE. CONSENT OF NATIONAL ASSEMBLY IS REQUIRED FOR ANY AGREEMENT, DOMESTIC OR FOREIGN, ENTERED INTO BY ANY IEG AGENCY TO BORROW FUNDS. AUDITOR GENERAL TO BE ELECTED BY NATIONAL ASSEMBLY, IS RESPONSIBLE TO IT, SCRUTINIZES ALL BUDGETARY APPROPRIATIONS AND SUBMITS ANNUAL REPORTS ON IEG'S FINANCIAL ACTIVITIES.

CHAPTER 7 ESTABLISHES (CROWN?) LAND AS COMMON PROPERTY OF ETHIO-

PIAN PEOPLE, WHICH GOVERNMENT TO ADMINISTER FOR BENEFIT OF NATION.  
IT PROVIDES FLOOR AND CEILING FOR INDIVIDUAL AND COLLECTIVE LAND  
HOLDINGS. ALL TILLERS TO BE ENTITLED TO OWN LAND AND FARM IT.  
PRIVATE PROPERTY TO BE RESPECTED, ALTHOUGH GIVEN PLOTS MAY BE  
BROUGHT UNDER GOVERNMENT OWNERSHIP (RIGHT OF EMINENT DOMAIN?),  
PREVIOUS OWNER TO BE COMPENSATED.

CHAPTER 8 PROVIDES FOR DECENTRALIZATION OF GOVERNMENT ACTIVITIES  
TO GOVERNORATES AND PROVINCES. IT CREATES REGIONAL ASSEMBLY AND  
MUNICIPAL COUNCILS TO DEAL WITH INTERNAL MATTERS. (NOT CLEAR  
WHETHER ANY REDISTRICTING REQUIRED IN THIS CONNECTION.)

CHAPTER 9 PROVIDES FOR OMBUDSMAN (STYLED "THE GRIEVANCE COMMIT-  
TEE"), ELECTED BY NATIONAL ASSEMBLY.

CHAPTER 10 PRESCRIBES METHOD OF CONSTITUTIONAL AMENDMENT. CONSTI-  
TUTION MAY BE AMENDED BY TWO-THIRDS VOTE OF NATIONAL ASSEMBLY,  
SUCH AMENDMENTS TO COME INTO FORCE WITHIN THREE MONTHS.

LAST CHAPTER GOVERNS TRANSITION. ITS FIVE ARTICLES REPORTEDLY  
PROVIDE THAT CURRENT PARLIAMENT WILL BE DISSOLVED FORTHWITH UPON  
RATIFICATION OF FUTURE CONSTITUTION AND PROCLAMATION OF NEW  
ELECTORAL LAW. GENERAL ELECTIONS TO PEOPLE'S ASSEMBLY TO BE HELD  
WITHIN FOUR MONTHS OF SUCH RATIFICATION.

PRELIMINARY COMMENTS BY SEPTEL.

WYMAN

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## Message Attributes

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